UNITED NATIONS **S**

Security Council

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S/1998/1135
3 December 1998
ENGLISH
ORIGINAL: ENGLISH AND RUSSIAN

Portugal, Russian Federation and United States of America: draft resolution

The Security Council,

Reaffirming its resolutions 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998,

Reaffirming also its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Emphasizing the validity of the "Acordos de Paz" (S/22609, annex), the Lusaka Protocol (S/1994/1441, annex) and relevant Security Council resolutions as the fundamental basis of the peace process,

Strongly condemning the failure of the União Nacional para a Independência Total de Angola (UNITA) to implement the remaining tasks of the Lusaka Protocol, in particular the complete demilitarization of its forces and full cooperation in the immediate and unconditional extension of State administration throughout the national territory,

Expressing its deep concern at the failure of the leader of UNITA to respond to the letter of 6 October 1998 addressed to him by the Special Representative of the Secretary-General which contained proposals for restoring the peace process, and to the letter of 24 September 1998 addressed to him by the Ministers of Foreign Affairs of the three Observer States to the Lusaka Protocol which called for irreversible steps towards peace (S/1998/916),

Expressing its grave concern at the serious humanitarian impact of the impasse in the peace process and the deteriorating security conditions,

Having considered the report of the Secretary-General of 23 November 1998 (S/1998/1110),

1. Emphasizes that the primary cause of the crisis in Angola and of the current impasse in the peace process is the failure by the leadership of UNITA in Bailundo to comply with its obligations under the "Acordos de Paz", the

Lusaka Protocol and relevant Security Council resolutions, and demands that UNITA comply immediately and without conditions with its obligations, in particular the complete demilitarization of its forces and full cooperation in the immediate and unconditional extension of State administration throughout the national territory;

2. Demands also that UNITA withdraw immediately from territories which it has reoccupied through military or other action;

3. Calls on the leadership of UNITA to cooperate fully and immediately with the United Nations Observer Mission in Angola (MONUA) in the withdrawal of MONUA personnel from Andulo and Bailundo, and holds the leadership of UNITA in Bailundo responsible for their safety and security;

4. Stresses that there can be no military solution to the conflict in Angola, and calls upon the Government of Angola and UNITA to cooperate fully with the Special Representative of the Secretary-General, including facilitation of his contacts with all those key to the implementation of the Lusaka Protocol, to seek a peaceful resolution of the crisis;

5. Emphasizes the importance of the Special Representative of the Secretary-General maintaining contact with all elements of UNITA in Luanda in order to revive the stalled peace process and encourage the transformation of UNITA into a genuine political party;

6. Stresses the importance of strengthening the rule of law and respect for human rights, including the full protection of all Angolan citizens throughout the national territory, in particular representatives and members of all political parties;

7. Reiterates its concern at the continued deterioration of the humanitarian situation, especially the significant increase in the number of internally displaced persons and the increase in minelaying activity, and calls on the Government of Angola and in particular UNITA to guarantee unconditionally the safety and freedom of movement of all international humanitarian personnel, to cooperate fully with international humanitarian organizations in the delivery of emergency relief assistance to affected populations, to cease minelaying activity, and to respect international humanitarian, refugee and human rights law;

8. Urges the international community to provide financial and other resources in order to allow the continued delivery of emergency relief assistance to vulnerable groups in Angola;

9. Urges all Member States to support the peace process in Angola through full and immediate implementation of the measures against UNITA contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998), and expresses its readiness to consider appropriate reinforcing steps in accordance with the recommendations contained in the report referred to in paragraph 13 below;

10. Decides to extend the mandate of MONUA until 26 February 1999, and endorses the recommendation contained in the report of the Secretary-General to

continue to adjust the deployment and force structure of MONUA, as needed, in accordance with security conditions and its ability to implement its mandate;

11. Recognizes that the Secretary-General may revert to the Council before 26 February 1999 with further recommendations regarding MONUA in the light of security conditions on the ground;

12. Expresses its growing concern for the security and freedom of movement throughout Angola of MONUA personnel, and calls upon the Government of Angola and in particular UNITA to ensure their safety;

13. Requests the Secretary-General to submit a report no later than 15 January 1999 regarding the status of the peace process, the future role and mandate of the United Nations in Angola and the force structure of MONUA in the light of its ability to carry out its mandated tasks, and reiterates the request contained in its resolution 1202 (1998) of 15 October 1998 for recommendations regarding technical and other ways for Member States to improve the implementation of the measures referred to in paragraph 9 above;

14. Decides to remain actively seized of the matter.

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A/53/720
S/1998/1136
2 December 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda item 62
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 25 November 1998 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 23 November 1998 (A/53/703-S/1998/1119), I have the honour to draw your attention to new violations of the national airspace of the Republic of Cyprus and of the flight information region (FIR) of Nicosia by military aircraft of the Turkish Air Force, recorded on 22 and 23 November 1998.

On 22 November 1998, thirty-two (32) military aircraft of the Turkish Air Force (26 F-16, 3 KC-135, 2 CN-235 and 1 C-130) entered the Nicosia FIR, violating international air traffic regulations. Ten of the F-16 exited the Nicosia FIR, two of them towards the Ankara FIR and eight in a south-easterly direction. Sixteen F-16 violated the national airspace of the Republic of Cyprus flying over the area of Karpasia, exiting afterwards in a south-easterly direction. The two CN-235 violated the national airspace of the Republic of Cyprus, flying over the area of the Cape of Apostolos Andreas. One of the KC-135 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia before exiting together with the other two KC-135 in a south-easterly direction. The C-130 violated the national airspace of the Republic of Cyprus, landing at the illegal airport of Lefkoniko in the occupied area of the Republic, before taking off at 1526 hours on the same day, returning to the Ankara FIR.

On 23 November 1998, thirty-four (34) military aircraft of the Turkish Air Force (16 F-16, 8 F-4, 4 of unknown-type, 3 KC-135, 1 C-130 and 2 CN-235) entered the Nicosia FIR violating international air traffic regulations. The 16 F-16 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia, exiting afterwards in a south-easterly direction. The two CN-235 violated the national airspace of the Republic of Cyprus, flying over the area of the Cape of Apostolos Andreas. The four unknown-type aircraft violated the national airspace of the Republic of Cyprus, flying over the area of

Karpasia, exiting afterwards in a south-easterly direction. The C-130 violated the national airspace of the Republic of Cyprus, flying over the area of Mesaoria and landing afterwards at the illegal airport of Lefkoniko, in the occupied area of the Republic, before taking off at 1350 hours on the same day, returning back to the Ankara FIR. The eight F-4 and three KC-135, after their flight within the Nicosia FIR, also exited in a south-easterly direction.

As stated in my previous letters, such unauthorized intrusions into the Nicosia FIR and the national airspace of the Republic of Cyprus are in violation of international air traffic rules and, at the same time, are in contravention of the provisions of the Security Council resolutions on Cyprus, which state that such overflights increase tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest these new provocative acts by Turkey against the sovereignty and territorial integrity of the Republic of Cyprus. The frequency and intensity of these airspace violations are a further reminder of Turkey's offensive disregard of international law, the Charter of the United Nations and all the relevant decisions of the Organization on the question of Cyprus.

Furthermore, these continuing overflights by the Turkish Air Force, as well as the presence of the Turkish military occupation forces on the island constitute the underlying causes of tension in Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative

UNITED
NATIONS

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General Assembly
Security Council

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A/53/721
S/1998/1137
2 December 1998

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GENERAL ASSEMBLY
Fifty-third session
Agenda item 62
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 30 November 1998 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 25 November 1998 (A/53/720-S/1998/1136), I have the honour to draw your attention to new violations of the national airspace of the Republic of Cyprus and of the flight information region (FIR) of Nicosia by military aircraft of the Turkish Air Force, recorded from 24 to 27 November 1998.

On 24 November 1998, twenty-nine (29) military aircraft of the Turkish Air Force (19 F-16, 5 F-4, 3 KC-135 and 2 CN-235) entered the Nicosia FIR violating international air traffic regulations. Four of the F-16, as well as the three KC-135 exited the Nicosia FIR in a south-easterly direction. The remaining 15 F-16 and the 5 F-4 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia, exiting afterwards in a south-easterly direction. The two CN-235 violated the national airspace of the Republic of Cyprus, flying over the area of the Cape of Apostolos Andreas.

On 25 November 1998, twenty-nine (29) military aircraft of the Turkish Air Force (16 F-16, 8 F-4, 3 KC-135, 1 CN-235 and 1 GULFSTREAM) entered the Nicosia FIR violating international air traffic regulations. Eight of the F-16, four of the F-4 and the three KC-135 exited the Nicosia FIR in a south-easterly direction. The remaining eight F-16 and four F-4 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia, exiting afterwards in a south-easterly direction. The CN-235, as well as the GULFSTREAM, violated the national airspace of the Republic of Cyprus flying over the area of the Cape of Apostolos Andreas.

On 26 November 1998, twenty-nine (29) military aircraft of the Turkish Air Force (20 F-16, 4 F-4, 3 KC-135, 1 CN-235 and 1 GULFSTREAM) entered the Nicosia FIR violating international air traffic regulations. Twelve of the F-16 and the four F-4 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia, exiting afterwards in a south-easterly direction. The

CN-235, as well as the GULFSTREAM, violated the national airspace of the Republic of Cyprus, flying over the area of the Cape of Apostolos Andreas. The remaining eight F-16, as well as the three KC-135, exited after their flight within the Nicosia FIR in a south-easterly direction.

On 27 November 1998, thirteen (13) military aircraft of the Turkish Air Force (10 F-16, 2 KC-135 and 1 CN-235) entered the Nicosia FIR violating international air traffic regulations. Six of the F-16 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia, exiting afterwards in a south-easterly direction. The CN-235 violated the National Airspace of the Republic of Cyprus, flying over the area of the Cape of Apostolos Andreas. The remaining four F-16, as well as the two KC-135 exited after their flight within the Nicosia FIR in a south-easterly direction.

As stated in my previous letters, such unauthorized intrusions into the Nicosia FIR and the national airspace of the Republic of Cyprus are in violation of international air traffic rules and, at the same time, are in contravention of the provisions of the Security Council resolutions on Cyprus, which state that such overflights increase tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest these new provocative acts by Turkey against the sovereignty and territorial integrity of the Republic of Cyprus. The frequency and intensity of these airspace violations are a further reminder of Turkey's offensive disregard of international law, the Charter of the United Nations and all the relevant decisions of the Organization on the question of Cyprus.

Furthermore, these continuing overflights by the Turkish Air Force, as well as the presence of the Turkish military occupation forces on the island, constitute the underlying causes of tension in Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative

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NATIONS

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Security Council

Distr.
GENERAL

S/1998/1138
2 December 1998

ORIGINAL: ENGLISH

LETTER DATED 2 DECEMBER 1998 FROM THE CHARGÉ D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to enclose herewith a memorandum on the situation in Kosovo and Metohija, the Autonomous Province of the Yugoslav constituent Republic of Serbia (see annex). I would be very grateful if you would have this letter and its annex issued as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

98-38054 (E) 021298

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Annex

Memorandum dated 1 December 1998 on the situation in the Autonomous Province of Kosovo and Metohija, Republic of Serbia, Federal Republic of Yugoslavia

I

Cooperation between the state authorities and the Organization for Security and Cooperation in Europe (OSCE) Verification Mission in Kosovo and Metohija (hereinafter: Kosmet) and international humanitarian organizations (Office of the United Nations High Commissioner for Refugees, International Committee of the Red Cross, Office of the United Nations High Commissioner for Human Rights) is successful, with regular and constructive contacts at all levels, guaranteeing full security, freedom of movement and access. The Government of the Federal Republic of Yugoslavia and all state authorities consistently implement all the provisions of the Agreement of 16 October 1998, in the spirit of cooperation and mutual respect, as is expected from the OSCE Verification Mission. This has been a special task entrusted to the Federal Government Commission for Cooperation with the OSCE Verification Mission, headed by Deputy Federal Prime Minister 5s-
Nikola Sainovic and to the Federal Ministry of Foreign Affairs.

So far, about 600 visas have been granted to the OSCE representatives (about 100 to the members of the Preparatory Mission and 500 to the verifiers). Currently, there are more than 820 foreign diplomatic representatives in Kosmet: 500 OSCE Verification Mission members, approximately 70 members of the Preparatory Mission and about 250 KDOM members.

The overall situation in Kosmet is one of stabilization and normalization. Seventeen humanitarian and more than 100 distribution centres have been set up throughout the Province and are operating successfully. There are no people in the open without shelter. The security forces of the Republic of Serbia and the units of the Army of Yugoslavia have been deployed at the levels that prevailed before the start of terrorist actions. Local police forces representative of the will and ethnic structure of each settlement have bene set up in 115 villages throughout the Autonomous Province. There have been no special actions whatsoever of the security forces in the Province, except those related to the maintenance of public law and order, protection of citizens, and of course legitimate response to attacks and provocations by terrorists.

These positive developments have also been confirmed by foreign representatives in their reports on the situation in Kosmet (see weekly KDOM report for the period 9-16 November 1998, and the interim OSCE Verification Mission report of 16 November 1998).

The report by Secretary-General Kofi Annan of 20 November 1998 contains much more objective assessments than some previous reports, compiled on the basis of indirect knowledge and characterized by incomplete and extremely one-sided observations.

II

The Governments of the Republic of Serbia and the Federal Republic of Yugoslavia are determined to pursue the policy of a peaceful political solution in Kosmet, on the basis of equality of all citizens and all national and ethnic communities, consistent with international standards. It was along these lines that they initiated an unconditional political dialogue.

The declaration on the joint draft agreement on the political framework for self-governance in Kosmet of 25 November 1998 reflects its multicultural and multi-confessional character, as an integral part of the Republic of Serbia and the Federal Republic of Yugoslavia, and it has received the support of all ethnic and national communities, including some parties of citizens of the Albanian national minority - who taken together represent about 600,000 to 800,000 citizens of all nationalities and confessions in Kosmet (about 250,000 Serbs and Montenegrins, 150,000 Muslims, 150,000 Romanies and more than 100,000 members of other national communities - Turkish, Goranies, Croat, Egyptian and others).

The joint draft agreement on the political framework for self-governance in Kosmet adopted by the state delegation and the delegations of national and ethnic communities in Kosmet proceeds from the political framework based on 11 principles that was endorsed by the Government of Serbia (see S/1998/953). Its main characteristic is that it elaborates upon and guarantees the equality of all ethnic and national communities and of all citizens in Kosmet. This draft incorporates at the same time the highest international standards of human rights and rights of persons belonging to national monitories; in particular, it takes over the standards set forth in the Council of Europe Framework Convention for the Protection of Minorities.

In that sense, the proposal guarantees ethnic, cultural, linguistic and religious identity of national minorities, without any discrimination, as well as freedom to maintain one's own culture, language, religion and customs, equally before the law. It guarantees autonomy and local self-governance, appropriate participation of ethnic and national communities at all levels of democratically elected authorities, while respecting the sovereignty and territorial integrity of the Republic of Serbia and the Federal Republic of Yugoslavia.

This approach of the joint draft agreement essentially relies on the agreements reached between Federal Republic of Yugoslavia President Slobodan Milosevic and Special United States Representative Ambassador Richard Holbrooke.

The joint proposal of 25 November 1998 is also open for discussion with representatives of other Albanian political parties. Regrettably, the political parties of Kosmet Albanians rallied around the Democratic Alliance of Kosmet have not still agreed to participate in the resumption of a political dialogue which, inter alia, implies granting of extensive autonomy rights to Kosmet Albanians, about which there is a consensus of the entire international community.

While the leaders of certain political parties of Kosmet Albanians refuse or postpone the dialogue on various pretexts, the terrorists of the self-proclaimed "KLA" are buying time to commit new crimes and murders, and to kidnap innocent civilians and officers protecting public law and order. At the same time, the measures and sanctions imposed on the Federal Republic of Yugoslavia and its citizens are kept in place or even tightened in order to economically and socially cripple the country and its population.

III

An obstacle to the political process in Kosovo and Metohija is presented by impudent, criminal actions and the provocative behaviour of Albanian terrorists, who abuse the newly created situation to launch daily terrorist attacks and to commit crimes, defying both the state authorities and the calls of the international community.

From 13 October through 30 November 1998, Albanian terrorists carried out 310 terrorist attacks and provocations, killing nine police officers in ambushes, and inflicting serious and light wounds on 30 officers. Three police officers were kidnapped, two of whom were tortured and then brutally killed. Eighty-seven attacks were launched against civilians (43 Serbs, 42 ethnic Albanians, members of the Roma and Muslim ethnic communities). These attacks claimed six lives (one Serb, four ethnic Albanians and one Muslim), while 14 civilians were either seriously or slightly injured. In addition, 13 Serb and Montenegrin villages came under attack in order to intimidate and expel them from Kosmet.

In only the past month and a half since the signing of the Agreement between the Federal Republic of Yugoslavia and OSCE, terrorists have abducted 11 persons (six Serbs, three ethnic Albanians, one Roma and one Muslim), thus bringing the total number of abducted persons to 282.

The above facts clearly indicate that all national communities in Kosmet are equally cruelly victimized by terrorists and their Nazi-like obsession of creating the so-called "Greater Albania".

The Federal Republic of Yugoslavia Government reiterates that it is of the utmost importance that the international community as a whole and all countries individually - pursuant to Security Council resolutions - condemn clearly and strongly terrorist attacks, provocations, murders and abductions, and that they cut off resolutely all channels through which the terrorists continue to receive money, weapons and equipment from abroad to commit their crimes. Short of a strong condemnation and appropriate measures, the separatists and terrorists will continue to commit crimes against innocent populations of all nationalities, which the State will not allow at any cost. The goal of terrorists and separatists is no political solution, least of all a democratic one in accordance with European standards - it is terror, violence and recharting of borders in a Nazi-like fashion.

IV

Over the past eight months, there have been over 170 border incidents provoked from the territory of Albania. Some of them were virtual invasions, of several hundred to one thousand armed terrorists and bandits in one attempt. Since the Federal Republic of Yugoslavia-OSCE Agreement began to be implemented, 31 armed attacks have been staged against the Army of Yugoslavia from the territory of the Republic of Albania. During that period, 18 armed attacks from the territory of the Republic of Albania were recorded against Army of Yugoslavia border units; there have been 13 attempts of grave violation of the territorial integrity and sovereignty of the Federal Republic of Yugoslavia; and the Army of Yugoslavia prevented 233 attempted illegal crossings to the state territory of the Federal Republic of Yugoslavia. Two Army of Yugoslavia soldiers were killed in these attacks and nine were wounded.

What causes concern is that armed incidents from the territory of Albania have become more serious and frequent in the last few days. These incidents coincide with the increased efforts to set in motion the political process. This testifies to the fact that the goals of those inspiring and organizing the incidents is to divert attention, generate tension, and derail dialogue and peaceful resolution in Kosmet. This is confirmed by serious border incidents provoked from the territory of Albania on 27 and 28 November 1998 in the area of Gorozup and Liken border posts, when groups of terrorists carrying arms and equipment attempted to illegally cross the territory of the Federal Republic of Yugoslavia, opening fire and threatening the lives of Yugoslav border guards.

Such behaviour on the part of Albania represents a flagrant violation of the territorial integrity and sovereignty of the Federal Republic of Yugoslavia and a breach of the principles of both the Charter of the United Nations and the Paris Charter of OSCE. The failure of Albanian representatives to carry out on-site investigations implies the violation of the mechanism of verification of border incidents and avoiding responsibility. All this represents a part of the policy of systematic assistance and support to terrorism and banditry in Kosovo and Metohija, and seriously undermines efforts towards a peaceful political settlement and permanent stability.

The fact that a chaotic situation prevails in Albania and that it has become the centre where all international terrorist organizations and other criminal organizations in the world are based, including the Mujahedin, drug cartels and others, cannot diminish the international legal responsibility of that country for systematically threatening the sovereignty and integrity of any neighbouring country. All the more so, since its official representatives not only fail to condemn terrorism and separatism but by their statements and otherwise fuel in many ways the senseless idea of "Greater Albania" at the expense of territories of neighbouring countries.

All this clearly indicates that Albania, by its negative role, situation and conduct of its leaders, has become a serious source of actual danger to peace and security in the region.

V

The Federal Republic of Yugoslavia Government recognizes and implements in good faith all the agreements reached, written down and signed as part of the Agreement between the Federal Republic of Yugoslavia and OSCE. Any other arrangements among third parties affecting the Federal Republic of Yugoslavia and parts of its territory and its national and state interests are considered contrary to the Agreement, and may not either directly or indirectly imply any obligations for the Federal Republic of Yugoslavia and its authorities. Under the Agreement, the Federal Republic of Yugoslavia Government has assumed the sole responsibility for the safety of verifiers, and it is capable and ready to fulfil this commitment.

The Federal Republic of Yugoslavia-OSCE Agreement (sect. II, para. 1) envisages that the OSCE Verification Mission in Kosmet should submit its report to the Federal Republic of Yugoslavia authorities. Accordingly, the Government of the Federal Republic of Yugoslavia expects consistent implementation in practice.

The Federal Republic of Yugoslavia Government strongly condemns the contacts of representatives of various countries and some organizations maintained with terrorists, killers, kidnappers and other criminals calling themselves "KLA". These contacts are part of the policy of double standards aimed at supporting and gradually legalizing this terrorist organization, which is contrary to the basic principles and standards of international practice and is in violation of Security Council resolutions condemning terrorism pursued by Albanian separatists. Such actions undermine a genuine political process and peaceful solution. It is particularly worrisome that the representatives of exactly those countries knowing full well the criminal terrorist character of the so-called KLA, its direct connections with international terrorism, extreme Islamism, narco-mafia and organized crime in general, maintain the contacts and oblige others to do the same.

Such behaviour is dangerous for the political process in Kosmet, affects the combat against international terrorism in general and may backfire against those practising it.

VI

The Governments of the Federal Republic of Yugoslavia and the Republic of Serbia are firmly committed to a peaceful political solution in Kosmet. The ultimate text of the agreement may be reached solely in dialogue between the state delegations and representatives on an equal footing of representatives of all national and ethnic communities, and it should not be the outcome of imposition, prejudging or overruling. Respect for the political framework contained in the above-mentioned 11 principles, for international standards, the Helsinki Final Act and the OSCE Paris Charter, and above all for the principles of equality of citizens and all national and ethnic communities is a key precondition for a peaceful and lasting solution in the Serb province of Kosovo and Metohija.

It should be noted that the joint draft agreement on the political framework for self-governance in Kosmet has also been presented on Internet (www.mfa.yu), with a call to all concerned to present their comments or indicate any possible inconsistencies regarding the initial principles, frameworks and international standards.

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3 December 1998

ORIGINAL: ENGLISH

LETTER DATED 23 NOVEMBER 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I should like to refer to the briefing by my Special Envoy for Afghanistan, Lakhdar Brahimi, to the members of the Security Council on 4 November 1998, in which he reported that, in the course of his meeting with the Taliban leadership at Kandahar, he had raised the possibility of establishing a mechanism to prevent gross violations of human rights in Afghanistan. Since then, the Department of Political Affairs has been in contact with all Afghan parties concerned with a view to moving this concept forward.

I am now in a position to inform the Council that the Afghan parties have conveyed to me their agreement in principle to the deployment of civilian monitors in Afghanistan. Accordingly, with the agreement of the Council, I would intend to establish a Civil Affairs Unit within the United Nations Special Mission to Afghanistan (UNSMA), which would initially be staffed by 12 civilian monitors, whose primary objectives would be to monitor the situation and, through their presence, seek to promote respect for minimum humanitarian standards and deter massive and systematic violations of human rights and humanitarian law in the future.

The deployment of civilian monitors would supplement the core role of UNSMA, which is to assist my Special Envoy in his peacemaking activities in Afghanistan, monitor the overall political and military situation, and maintain contacts with all Afghan factions, as well as with Governments and organizations concerned with the future of Afghanistan. The information gathered by the Civil Affairs Unit would be included in the periodic reports on the situation in Afghanistan that I regularly transmit to the Security Council and to the General Assembly.

Before seeking the formal consent of the parties to the establishment of the Civil Affairs Unit, I propose to send an assessment mission to Afghanistan, as soon as security conditions permit, in order to determine the exact mandate, composition and location of the civilian monitors.

I should be grateful if you would kindly make this letter available to the members of the Security Council.

(Signed) Kofi A. ANNAN

98-38239 (E) 031298

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Security Council

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GENERAL

S/1998/1140
8 December 1998
ENGLISH
ORIGINAL: ENGLISH AND RUSSIAN

Draft resolution

The Security Council,

Having considered the situation in Afghanistan,

Reaffirming its previous resolutions, in particular resolutions 1189 (1998) of 13 August 1998 and 1193 (1998) of 28 August 1998, and the statements of its President on the situation in Afghanistan,

Recalling resolution 52/211 of the General Assembly,

Expressing its grave concern at the continued Afghan conflict, which has recently sharply escalated as a result of the offensive by the Taliban forces, which is continuing despite the repeated pleas by the Security Council to cease the fighting, and causing a serious and growing threat to regional and international peace and security, as well as extensive human suffering, further destruction, refugee flows and other forcible displacement of large numbers of people,

Deploring the fact that despite the readiness of the United Front of Afghanistan to conclude a durable cease-fire and to enter into a political dialogue with the Taliban, fighting continues on both sides,

Concerned also by the increasingly ethnic nature of the conflict, by reports of ethnic and religious-based persecution, particularly against the Shiites, and by the threat this poses to the unity of the Afghan State,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and its respect for its cultural and historical heritage,

Reiterating that any outside interference in the internal affairs of Afghanistan, including the involvement of foreign military personnel and the supply of arms and ammunition to all parties to the conflict, should cease immediately,

Reaffirming its full support for the efforts of the United Nations, in particular the activities of the United Nations Special Mission to Afghanistan

(UNSMA) and those of the Special Envoy of the Secretary-General for Afghanistan in facilitating the political process towards the goals of national reconciliation and a lasting political settlement with the participation of all parties to the conflict and all segments of Afghan society, and reiterating its position that the United Nations must continue to play its central and impartial role in international efforts towards a peaceful resolution of the Afghan conflict,

Welcoming the work of the "six plus two" group, and supporting in this regard the "points of common understanding" (A/53/455-S/1998/913, annex) adopted at its meeting, at the level of Foreign Ministers, convened and chaired by the Secretary-General on 21 September 1998,

Deeply concerned at the serious and rapidly deteriorating humanitarian crisis in Afghanistan, deploring in this regard the measures taken by the Taliban which resulted in the evacuation of the United Nations humanitarian personnel from Afghanistan and underlining the urgent need for the prompt implementation of the necessary security requirements to allow their early return,

Reaffirming that all parties to the conflict are bound to comply with their obligations under international humanitarian law and in particular under the Geneva Conventions of 12 August 1949, and that persons who commit or order the commission of breaches of the Conventions are individually responsible in respect of such breaches,

Deeply disturbed by the continuing use of Afghan territory, especially areas controlled by the Taliban, for the sheltering and training of terrorists and the planning of terrorist acts, and reiterating that the suppression of international terrorism is essential for the maintenance of international peace and security,

Deeply disturbed also by the growing cultivation, production and trafficking of drugs in Afghanistan, especially in areas controlled by the Taliban,

Reiterating its deep concern at the continuing discrimination against girls and women and at other violations of human rights and of international humanitarian law in Afghanistan,

1. Demands that the Taliban, as well as other Afghan factions, stop fighting, conclude a cease-fire and resume negotiations without delay and preconditions under United Nations auspices, and cooperate with the aim of creating a broad-based and fully representative government, which would protect the rights of all Afghans and observe the international obligations of Afghanistan;

2. Welcomes the progress made by the Special Envoy of the Secretary-General in his efforts based on resolution 1193 (1998) and its relevant preceding resolutions to reduce tensions in the region and towards improving the human rights and humanitarian situation in Afghanistan and calls upon all concerned to implement fully the commitments they have already entered into;

3. Reiterates its very strong support and appreciation for the continuing efforts of the Special Envoy of the Secretary-General to secure the full implementation of its resolutions and demands that all parties, in particular the Taliban, cooperate in good faith with these efforts;

4. Reiterates its strong call on the Taliban to inform the United Nations without further delay about the results of the investigation into the killing of the two Afghan staff members of the World Food Programme and of the Office of the United Nations High Commissioner for Refugees in Jalalabad, and the Military Adviser to UNSMA in Kabul;

5. Condemns the capture by the Taliban of the Consulate-General of the Islamic Republic of Iran and the murder of the Iranian diplomats and a journalist in Mazar-e-Sharif, stresses that these acts constitute flagrant violations of international law, and calls upon the Taliban to cooperate with the United Nations in investigating these crimes with a view to prosecuting those responsible;

6. Encourages the Secretary-General to continue his efforts to despatch a mission to Afghanistan to investigate numerous reports of grave breaches and serious violations of international humanitarian law in that country, in particular mass killings and mass graves of prisoners of war and civilians and the destruction of religious sites, and urges all parties, especially the Taliban, to cooperate with this mission, and in particular to assure the safety and freedom of movement of its personnel;

7. Supports the Secretary-General's proposal, as contained in his letter to the President of the Security Council of 23 November 1998 (S/1998/1139), to establish within UNSMA, without prejudice to its mandate and taking into account security conditions, a civil affairs unit with the primary objective of monitoring the situation, promoting respect for minimum humanitarian standards and deterring massive and systematic violations of human rights and humanitarian law in the future, and to send an assessment mission to Afghanistan, as soon as security conditions permit, in order to determine the exact mandate, composition and location of the civilian monitors;

8. Encourages the initiatives of the "six plus two" group to facilitate the peace process in Afghanistan;

9. Encourages further the additional support of other Member States for the peace process in Afghanistan;

10. Reiterates its call upon all States to take resolute measures to prohibit their military personnel from planning and participating in military operations in Afghanistan and immediately to end the supply of arms and ammunition to all parties to the conflict;

11. Urges all Afghan factions, and in particular the Taliban, to demonstrate their full commitment to the safety and security of all international and humanitarian personnel, which is a prerequisite for their activities in Afghanistan, to facilitate their work and to ensure unimpeded access and adequate conditions for the delivery of aid to all in need of it;

12. Demands that the Afghan factions put an end to discrimination against girls and women and other violations of human rights, as well as violations of international humanitarian law, and adhere to the international norms and standards in this sphere;

13. Demands also that the Taliban stop providing sanctuary and training for international terrorists and their organizations, and that all Afghan factions cooperate with efforts to bring indicted terrorists to justice;

14. Demands further that the Taliban, as well as others, halt the cultivation, production and trafficking of illegal drugs;

15. Deplores the failure of the leadership of the Taliban, in particular, to take measures to comply with the demands made in its previous resolutions, especially to conclude a cease-fire and to resume negotiations, and in this context expresses its readiness to consider the imposition of measures, in accordance with its responsibility under the Charter of the United Nations, with the aim of achieving the full implementation of its relevant resolutions;

16. Decides to remain actively seized of the matter.

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LETTER DATED 2 DECEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of the statement of the spokesman for the General Staff of the Korean People's Army of the Democratic People's Republic of Korea dated 2 December Juche 87 (1998) concerning the recent move of the United States of America to drive the situation on the Korean peninsula to the brink of war.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Li Hyong Chol
Ambassador
Permanent Representative

98-38251 (E) 031298

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Annex

Statement of the spokesman for the General Staff of the Korean People's Army of the Democratic People's Republic of Korea on 2 December Juche 87 (1998)

The United States of America has recently gone beyond the danger line in their arrogant aggressive attempts to stifle the Democratic People's Republic of Korea with military strength.

According to a report, United States President Bill Clinton, during his visit to south Korea, unusually made a final checkup of the preparedness of the units of the United States aggressive forces and the readiness of its flying corps for sorties, and blared that the United States is determined and able to do anything in defence of its citizens and allied nations, raising the nuclear issue. The south Korean puppet authority, who has prolonged his remaining days with flunkeyism and obedience, is trying to curry favour with his master, obtrusively crying that the north must accept demands for inspections of an underground facility. The Japanese reactionaries who slandered the Democratic People's Republic of Korea, branding its launch of an artificial satellite as that of a ballistic missile, have also raised their heads again.

Synchronized with this, the United States conservative hard-liners blared that if inspections of the underground facilities of the Democratic People's Republic of Korea failed to be realized, they would break up the Democratic People's Republic of Korea-United States Agreed Framework and take "determined counteraction". This is, in essence, like a declaration of war in that they will not hesitate to wage a war against the Democratic People's Republic of Korea.

What cannot be overlooked is the fact that publications of a third country have openly carried reports that the United States military has completed a new war plan for the invasion of north Korea and the gist of "Operation Plan 5027", a plan for a second Korean War of aggression allegedly to retaliate against the Democratic People's Republic of Korea for the United States defeat in the past Korean War.

We have learned through these publications that "Operation Plan 5027" envisages waging the second Korean War against the Democratic People's Republic of Korea in five stages.

The first stage is a "control" stage. Under the pretext of "controlling" the actions of the Democratic People's Republic of Korea, the United States is to amass its aggressive forces in and around south Korea and impose full-scale sanctions upon the Democratic People's Republic of Korea by blocking its skies, seas and border.

In this sense, it can be said that the operation of this stage is already being carried out in fact.

The second stage is the "stage of strikes for neutralization" which aims to "neutralize" the Democratic People's Republic of Korea by making long-term

aerial strikes at the whole northern half of Korea with large numbers of field artillery pieces, planes and cruise-guided weapons.

To execute the operation of this stage, the United States has stealthily deployed naval and air forces, including flying corps, around the Democratic People's Republic of Korea in various forms and ways and mastered methods of striking, staging military training and exercises under various names.

The third stage is the "stage of ground offensive operation". Envisaged in it are comprehensive ground offensive operations that combine large-scale operations for landing on the east and west coasts of the Democratic People's Republic of Korea with airplane and helicopter-borne paratrooper operations and special commando operations. Through these operations, the United States plans to encircle Pyongyang, the heart of the Korean revolution, and "occupy" the Democratic People's Republic of Korea as far as the River Chongchon.

The fourth stage is the "stage of expanding successes in war". It envisages occupation of the whole area north of the River Chongchon in the Democratic People's Republic of Korea.

The fifth stage is the "stage of concluding war", in which the United States plans to achieve "Korea's unification based on the liberal democratic system".

In order to put this operational plan into practice, the United States will deploy over 545,000 United States soldiers, the 630,000-strong army of south Korea and ultra-modern hardware and large-scale means of striking, including five to seven aircraft carrier flotillas, F-117 and F-111 Stealth fighter bombers and nuclear-capable B-1, B-2 and B-52 strategic bombers.

The plan comprises three methods of unleashing an all-out war: the first being to mount a strike at the Democratic People's Republic of Korea while imposing sanctions upon it over the nuclear issue and human rights problems; the second being to make a "surgical operation-style strike" at the "suspected nuclear facilities" in the Democratic People's Republic of Korea; and the third being to make a pre-emptive strike at the Democratic People's Republic of Korea under the pretext of an aggravated situation while continuing to render it strained.

Only recently, the United States has dispatched to south Korea senior officials of the United States Defense Department, including the Chairman of the Joint Chiefs of Staff, the Commander of the United States Pacific Forces, unit commanders of the three services, commanders of the 1st and 3rd Army Corps, the Commander of the Seventh Fleet, commanders of the 1st and 3rd Marine Expeditionary Corps and other commanders who are expected to be hurled into the Korean front, one after another, to examine on the spot, the feasibility of the operational plan. At the same time, it has stepped up preparations for war against the Democratic People's Republic of Korea through "RSOI 98", "Ulji Focus Lens 98", "Foal Eagle 98" and other joint military exercises.

Nowadays, the United States is loudly crying out that tensions have been heightened owing to the underground nuclear facility of the Democratic People's Republic of Korea and its launch of an artificial satellite.

What they seek in this is to find a pretext to ignite the train of war according to "Operation Plan 5027".

It is clear why the United States has begun executing "Operation Plan 5027", throwing away the mask of "appeasement" and "engagement" which it had worn for some time. Unable to destroy our socialist system with its "isolation and suffocation strategy" and "appeasement strategy" in order to induce us to reform and open up, the United States has adopted a reckless adventure, losing all reason.

From the outset, our revolutionary armed forces have expected little from the "appeasement policy of the United States" which seeks to demolish our socialist system. In particular, they have followed with sharp vigilance the behaviour of the United States, the other warring party, which has turned away from the general officer-level meeting proposed by the Democratic People's Republic of Korea.

The prevailing situation proves that the sharp vigilance and revolutionary position of our revolutionary armed forces are absolutely reasonable.

To answer fire with fire is a character of our revolutionary army and its unique mode of counteraction.

Although the United States intends to dispirit somebody by setting afloat its reckless operational plan, it is a foolish dream.

We have our own operational plan. The so-called "surgical operation-style strike" and "pre-emptive strike" are by no means an exclusive option of the United States. The mode of attack is not a monopoly of the United States either.

It must be made clear that there is no limit to the reach of our people's army and that on this planet there is no room for escape.

It must also be realized that the target of our strike in the war is not only the United States aggressive forces which chiefly execute "Operation Plan 5027", but also the south Korean authorities who are willing to serve as their shield, Japan and all others that offer bases or act as servants behind the scenes.

We do not want a war. But we will not avoid a war. Once a war is imposed, we will never miss the opportunity.

Now that the United States of America has thrown off the mask of "dialogue and negotiation" and is bringing the situation to the brink of war, we solemnly declare with the dignity of Juche Korea that our revolutionary armed forces will never pardon the challenge of the United States aggressive forces but answer it with an annihilating blow.

The aggressors will never escape the fate of forlorn wandering spirits.